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City of Santa Fe  
MAYOR'S COMMITTEE ON DISABILITY

March 19, 2015

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**MINUTES OF THE**  
**MAYOR'S COMMITTEE ON DISABILITY**  
**SANTA FE, NEW MEXICO**

**March 19, 2015**

A scheduled meeting of the Mayor's Committee on Disability was called to order by Ron Ortiz Dinkel, Vice-Chair, on this date at approximately 10:00 a.m. at Genoveva Chávez Community Center, 3221 Rodeo Road, Classroom 1, Santa Fe, New Mexico.

**2. ROLL CALL**

Roll call indicated a quorum as follows:

**Members Present:**

Ron Ortiz Dinkel, Vice-Chair  
Aurore Bleck  
E. Meriam Jawhar  
Dr. Charles Maynard  
Dave McQuarie  
Sharon Wirtz

**Members Excused:**

Marcia Bowman, Chair  
Mary McGinnis

**Members Absent:**

Nancy Pieters

**Staff Present:**

David Chapman, ADA Liaison

**Others Present:**

Carl Boaz, Stenographer for Charmaine Clair

**3. APPROVAL OF AGENDA**

Ms. Bleck requested an addition to the agenda under New Business to discuss "Overnights and Transportation people in Wheel Chairs.

**Mr. McQuarie moved to approve the agenda as amended. Dr. Maynard seconded the motion and it passed by unanimous voice vote.**

**4. APPROVAL OF MINUTES – February 19, 2015**

Mr. McQuarie asked for correction of one misspelled last name which is Aeig.

Ms. Bleck asked for a correction on page 6 under Old Business, third paragraph, first sentence where the last word should be "designation." In the third line, it should read after "she said" to delete "general taxi

cab could be" to read, "She said that Capital Cab could be municipal for the city ..."

In the next paragraph, after 51% add "of the time."

Ms. Wirtz requested a change on page 2, 4<sup>th</sup> paragraph, 4<sup>th</sup> line where "come from" was repeated twice and the extra words should be deleted.

**Mr. McQuarie moved to approve the minutes of February 2 2015 as amended. Ms. Bleck seconded the motion and it passed by unanimous voice vote.**

## **5. PUBLIC COMMENTS**

There were no public comments.

## **6. NEW BUSINESS**

### **a) Overnight and Holiday Transportation for Those who use Wheel Chairs.**

Ms. Bleck reported that the Transportation Advisory Board is also discussing this issue and would like to work together with the MCD. She explained that currently, overnight in Santa Fe from 10 pm to 6 am there are no accessible cabs to provide transportation. There was in NYC a case and the Department of Justice decreed that 50% of NYC taxicabs have to be accessible. In Santa Fe, our taxi cab company has more than 25 cabs and not one of them is accessible.

So we need to do something about it and she is first seeking ideas. And secondly, she said there was a meeting with Capital Cab owner with several members of our Committee, several from Transit and the Chair who is a vehicle expert and she wondered if we could get the Mayor on board by coming to the cab company and making a nice offer. We should put the need for an accessible cab on the web site. We should do it for tourism. There is another legislative act that covers taxi cabs called the Motor Carrier Act that requires taxicabs to have certain appropriate equipment and staff to offer full service to the entire community. There is no section of the ADA law that covers taxicabs but there is under the MCA. The Public Regulation Commission has authority to pass an order for safety or an order for convenience.

Perhaps through this effort, we could possibly get one or two accessible cabs by the end of the meeting. If that isn't achieved, we could say we are going to work on an ordinance and/or file a DOJ complaint. And, in any event, we should make it very positive and offer good publicity.

Dr. Maynard thought that was fair and suggested asking for more than one.

Ms. Bleck said if one is usable all the time, they could put the need on the web site and see who could respond. Such a person coming to town might use the Sandia Shuttle to get to their hotel but then there is no place for them to go. The Committee would also benefit from the publicity campaign.

Ms. Bleck asked if the Committee should try to do this.

Mr. Chapman thought they could go for both ideas. The ordinance would need to be sponsored by a City Councilor. The Mayor is very receptive to it. He had a meeting with the Mayor this week and he asked how the Committee is doing. He said the Mayor would be supportive of the idea. Mr. Chapman was also supportive of the ordinance.

Ms. Bleck offered to speak at City Council about it.

Vice-Chair Dinkel liked the two-pronged approach.

Mr. McQuarie suggested going the direction of a proposed ordinance and not a resolution. Ordinance is the law. A resolution sometimes is not worth the paper it is written on. A resolution is easier but policies are more important. He advised that the Committee should not go for a resolution.

Ms. Bleck said she would send Mr. Chapman a written summary of this effort.

Mr. Chapman said okay and thanked Mr. McQuarie for his advice. He would figure out how to proceed and mentioned that he has participated in writing ordinances.

Mr. Boaz suggested contacting Avelino Gutierrez at the PRC and Mike Kelly at the Regional Transit District for technical assistance.

Vice-Chair Dinkel said they could bring it up next time as Old Business.

## **7. OLD BUSINESS**

### **a) MCD Subcommittee Reports**

- Plan Review Subcommittee

Vice-Chair Dinkel said Mr. McQuarie shared emails on plan reviews.

Mr. McQuarie reported that they reviewed the plan for Los Hermanos Park. They have plans that incorporated a transition but they did not build that entrance in compliance and it is in violation of the transition plan. There is no real oversight so they did what they wanted to do. They need to have that entrance to be maintained outside the park. He said he was planning to look at the plans further. At the intersection with Rodeo Road, in 2013 the park staff did not pay attention to the amenities for people like him. Rodeo Road has a sidewalk with no curb cuts. It is subject to the federal law and it is unsafe to cross.

Vice-Chair Dinkel acknowledged what he said and agreed it is an unsafe crossing and it should have been taken care of.

Mr. McQuarie said he tried to cross the intersection there at Rodeo Road but couldn't get onto the sidewalk. He had to travel in the gutter almost a block before he could get on the sidewalk and people honked at him while he was there.

- Transportation Subcommittee.

Ms. Bleck reported having an ADA meeting as part of the February meeting and got the capacity issues. They trained somebody who didn't show up the second day. They are working to get people in and switching out people who can drive from the call centers and trying to be more flexible that way.

She said she and Ms. McGinnis are both afraid to schedule rides because they have to wait.

They didn't get a good response to the survey so they are trying to reduce the length of the survey for next time.

- Media Sub-committee

Dr. Maynard and Ms. Jawhar didn't have anything new to report. Ms. Jawhar commented that by the time she gets the email, she is on to other things. We can do follow-up by email but the initial contact has to be done in person.

#### **b) Mayor's Empowerment Program (MED) – David Chapman**

(This item was skipped and then considered later in the meeting.)

#### **c) Transition Plan Update – David Chapman**

Mr. Chapman handout on the transition plan and asked the members to look at it at their convenience and give him some feedback to improve it. He explained that this is his first draft on it. A lot of it is cut and paste. He had a meeting with Lisa Myers, head of the Highway Administration yesterday. They are working on a six month deadline at the City to get someone on board to approve the transition plan for public rights of way.

The Committee's feedback would be helpful. He wanted to move from what they did before with the regional transition plan and the problems that arose with facilities like which door to use at the Ft. Marcy complex, and not have to go to another document to get clarity. Then it could be handed to a project manager to determine what he could do to accomplish it.

They have some extra money to give to the project manager for that facility and to see what they could do within their funding to address the problems.

Mr. McQuarie pointed out that in the overall scope of work, it talks about the park bond. Keep in mind the recent email to the City Manager asking when it would be done. Regarding the budget, they are not in favor of major work. They completed what they intended to do but it was not a comprehensive list. Mr. McQuarie listed a few of the things that were not done for the parks.

The scope of work really wasn't done and never has been. It was incomplete. The idea that all of ADA would be financed by an ADA budget was wrong. To his knowledge there was no budget for ADA. The ADA money would come from this group but the MCD has absolutely no budget. We were given some for the bollards but the bollards are still there. Some ADA transition funds have been really minimal. It has taken 25 years to do it. He asked who wanted to wait for 25 years.

#### **b) Mayor's Empowerment Program (MED) – David Chapman**

Vice-Chair Dinkel apologized for skipping over this item.

Mr. Chapman said he met with Xochitl a few days ago. The Mayor is hoping to have someone for a couple of hours each week in the Mayor's Office to deal with disability issues. They are fine-tuning that and working out job descriptions now. It is slow in coming and they are shooting for implementation in the fall.

Ms. Jawhar was under the impression they were going to have more than one.

Mr. Chapman said they are starting with one and it would be a living kind of program. There are functional considerations about where that person could be located and in what office. Those are limitations. But they are telling him that the plan will work.

#### **d) Update on Part-Time Employment of ADA Intern Kathlyne Gish – David Chapman**

Mr. Chapman said he has been working to get Kathlyne Gish back but the City has a new Finance Director who is tight fisted with money. Mr. Chapman put in a budget request to pay for half time because Jon Bulthuis was gracious in helping. Although it is limited for Transit, she would do things for Transit. Day before yesterday there was no decision about that. He said he would continue to follow up on that. He has been keeping Kathlyne in the loop.

Vice-Chair Dinkel hoped Mr. Chapman could get her back. It would be valuable to the MCD.

Mr. Chapman said it would be an interesting conversation. This is the best bang they could get for the buck at the City with someone who is dedicated and would work hard, who has the computer skills, and is willing to work for minimum wage. It couldn't be better and they should take advantage of that.

Ms. Jawhar asked who the members could talk to about promoting her rehiring.

Mr. Chapman suggested talking to the City Councilors. He added that Ms. Gish could be an advocate for the community.

Ms. Jawhar asked how much would need to be budgeted.

Mr. Chapman said he requested a 90-day term position at \$10.84 per hour which would be about \$2,700. We need to get her back and he didn't want to lose that opportunity. He was surprised at the power the councilors have.

Vice-Chair Dinkel asked if it would help to send a memo on how much we appreciated having her.

Mr. Chapman agreed it would help and we are going to a new budget cycle.

Ms. Jawhar agreed it is a big bang for the buck. She is now familiarized and could pick it up and run with it.

Mr. Chapman said it is a work in progress but moving slowly. The second point of Mr. McQuarie's concerns is that the blame should not fall back on the ADA program. He sent that message to his boss.

**e) Statement Regarding Confidentiality and Appeals – David Chapman**

Mr. Chapman said he needs to follow up with the Finance Director on the change in the grievance process. Hopefully by the next meeting he would have more information on it.

**f) Response to Federal Highway on Rodeo Road Intersections – David Chapman**

Mr. Chapman said Mr. McQuarie alluded to this before. He had a conversation with Lisa who said that the City wants a safety survey done on those intersections. She said the City had better look at that. He was following up with John Romero who is heading up the safety study. He summarized that things are moving on it.

**8. ITEMS FROM MEMBERS AND STAFF**

Ms. Jawhar said she still didn't get a packet. She got the last one late - after the meeting. She is having mail problems at Zocalo.

She announced that on the 31<sup>st</sup> she is having knee replacements of both knees. She said it won't stop her but she might need help getting places. So for the April meeting she could probably arrange for a ride but would need help getting home. They told her she can't drive for a while and presumed it is probably from pain medication. But she hates to take medication so she might be able to drive. She asked for a phone number for transportation services.

Mr. McQuarie noted there is a private company that could give her a ride. Other people told him about it so he would ask.

Mr. Chapman explained that where he is at this time is the Interim ADA Coordinator. He sent a memo to the City Manager asking to change it to permanent and that is being considered. Since that time the HR wanted a job description for what the three jobs he is now doing with administration and ADA. So he is trying to get the job description changed to what he is doing day-to-day. HR provided a memo to the City Manager to request that directly. Oscar Rodriguez (Finance Director) said it was too much. But it has been too much for 18 months now and it is workable.

Ms. Jawhar said he does need Kathlyne's help.

Mr. Chapman said they did say an assistant would be important. It would save the city money to do it. The salary would be \$17/hour plus benefits. We have to compensate people. His supervisor asked him how it was going and he replied that everything is okay.

Also, the reason he met with the Mayor was to get all members of MCD reappointed. He met with Yolanda Vigil too. That appointment request is going to City Council on March 26 and was why the Mayor wanted to meet with him to find out how the members were doing and he wanted to thank each member for all of your efforts.

Mr. McQuarie said everyone knew that he felt there is too much on the plate. All this time, they see that ADA Coordinator - they see the ADA but not the Coordinator part. It needs to be coordinated. Like the fire department staff who wear two hats. All ADA compliance is referred to Mr. Chapman as coordinator. They shouldn't have to do that. He does the job of 2 full-time employees. He wondered what the Committee members could do to push the Governing Body and the Mayor to provide for a full-time assistant and really push it.

Ms. Jawhar agreed that they should, either for Kathlyne or whoever.

Mr. McQuarie said they need to create the position.

Ms. Jawhar is all for it.

Vice-Chair Dinkel asked if the Committee could do that by memo to the Mayor.

Mr. Chapman agreed. You could also mail it to the Governing Body.

Mr. McQuarie suggested doing both - to the Mayor and to the Governing Body.

## 9. ADJOURNMENT

**Dr. Maynard moved to adjourn the meeting. Ms. Bleck seconded the motion and it passed by unanimous voice vote.**

The meeting was adjourned at 11:18 a. m.



Approved by:

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Marcia Bowman, Chair

Submitted by:

  
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Carl Boaz for Carl G. Boaz, Inc.

**NEXT MEETING: April 16, 2015**